



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,434	11/07/2001	Spencer Lambert	1405.ACTI.NP	9951
7590 12/10/2004				
RANDALL BATEMAN		EXAMINER		
PO BOX 1319		DOAN, KIET M		
SALT LAKE CITY, UT 84110-1319				
		ART UNIT	PAPER NUMBER	
		2683		
DATE MAILED: 12/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/045,434

Applicant(s)

LAMBERT ET AL.

Examiner

Kiet Doan

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/06/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments with respect to claims 1, 6, 11, 17 are have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. **Claims 1, 3-5, 11, 15-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Rosa et al. (Pub. No. 2003/0091960).

Consider **claim 1**, Rosa teaches a remote target control system comprising: a telephone (page 9, Paragraph 78 teach telephone/direct line), an interface disposed in communication with the telephone (Page 4, Paragraph 42), and a computer disposed in communication with the interface and at least one shooting target for selectively actuating a shooting target in response to signals received from the telephone (Abstract, Page 9, Paragraph 78, Fig.1).

Consider **claim 3**, Rosa teaches the remote target control system, further comprising a controller disposed in communication with the computer and the interface for actuating at least one target (Page 2, Paragraph 18).

Consider **claim 4**, Rosa teaches the remote control target system wherein the interface communicates with the controller, and wherein the controller communicates with the computer (Page 4, Paragraphs 41-43).

Consider **claim 5**, Rosa teaches the remote control target system wherein the computer runs a predetermined program for actuating computers (Page 6, Paragraph 52) and wherein the telephone is usable to override the predetermined program (Page 4, Paragraph 40, Page 9, Paragraph 78).

Consider **claim 11**, Rosa teaches a remote target control system comprising: a telephone; a controller disposed in communication with the telephone (Page 9, Paragraph 78), and a plurality of shooting target range devices disposed in communication with the controller and responsive to signals conveyed by the controller (Page 3, Paragraph 35, Fig.1, Illustrate plurality of shooting target range devices).

Consider **claim 15**, Rosa teaches the remote target control system further comprising a computer disposed in communication with the controller (Page 4, Paragraph 43).

Consider **claim 16**, Rosa teaches the remote target control system further comprising an interface disposed between the telephone and the controller (Page 4, Paragraph 42, Page 9, Paragraph 78).

Consider **claim 17**, Rosa teaches a method for actuating a bullet target (Page 3, Paragraphs 35-36, Fig. 2, No. 17), the method comprising; pressing a key on a telephone to develop a signal (Page 9, Paragraph 78); conveying the signal to a controller (Page 2, Paragraph 17); and actuating a target responsive to the signal received by the controller (Page 2, Paragraphs 18-19).

Consider **claim 18**, Rosa teaches the method wherein the method further comprises passing the signal through an interface (Page 4, Paragraphs 42-43).

Consider **claim 19**, Rosa teaches the method wherein the method comprises conveying the signal to a computer (Page 2, Paragraph 17).

Consider **claim 20**, Rosa teaches the method wherein the computer runs a target control program and wherein the signal overrides the target control program (Page 4, Paragraphs 40-42).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 2, 6-10, 12-14, 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosa et al. (Pub. No. 2003/0091960) in view of Chien et al. (US 6,308,062) .

Consider **claims 2, 12 and 21**, Rosa teach the limitation of claims as discuss above **but fail to teach** the remote target control system wherein the telephone comprises a cordless handset and a base unit.

In an analogous art, Chien teach "Wireless telephone system enabling access to PC based functionalities". Further, Chien teaches the remote target control system wherein the telephone comprises a cordless handset and a base unit (C2, L42-45, C5, L45-55, Fig.1, No.15 and handset).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Rosa and Chien system, such that the remote target control system wherein the telephone comprises a cordless handset and a base unit, to provide means for the users easy controlling the target remotely.

Consider **claim 6**, Chien teaches a remote target control system comprising a cordless telephone (C1, L55-65). Chien **fail to teach** and a shooting target range device disposed in communication with the cordless

telephone and responsive to signals generated by use of the cordless telephone to selectively actuate targets.

Rosa teaches and a shooting target range device disposed in communication with the cordless telephone and responsive to signals generated by use of the cordless telephone to selectively actuate targets (Page 3, Paragraph 37, Page 9, Paragraph 78).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Chien and Rosa system, such that shooting target range device disposed in communication with the cordless telephone and responsive to signals generated by use of the cordless telephone to selectively actuate targets, to provide means for the users easy controlling the target in remotely.

Consider **claim 7**, Chien teaches the remote control system further comprising an interface disposed in communication with the cordless telephone and the target range device (C2, L53-67, Fig.1, Handset).

Consider **claim 8**, Rosa teaches the remote control system further comprising a controller disposed in communication with the interface and configured to send signals for actuating targets (Page 4, Paragraphs 42-43)

Consider **claim 9**, Rosa teaches the remote control system further comprising a computer disposed in communication with the interface (Page 4, Paragraph 41).

Consider **claim 10**, Rosa teaches the remote control system wherein the computer is programmed to run programs for actuating targets (Page 6, Paragraph 52), and wherein signals from the telephone override the computer (Page 4, Paragraph 40, Page 9, Paragraph 78).

Consider **claim 13**, Chien teaches the remote target control system wherein the controller comprises a touch tone decoder (C5, L34-44).

Consider **claim 14**, Chien teaches the remote target control system wherein the interface comprises an analog circuit (C3, L15-20).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory

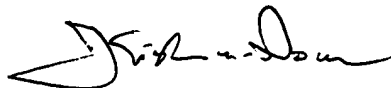


period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 703-305-4749. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan  
Patent Examiner



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600